IN PURSUANCE of an order of the Surrogate of the County of New-York, notice is hereby given to all persons having claims against DAVID DAVIES, late of the City of New-York, builder, deceased, to present the same, with vouchers thereof, to the subscriber, at the office of W. J. ROOME, esq., No. 128 West 21st-street, in the City of New-York, on or before the seventh day of June next.—Dated New-York, the twenty-seventh day of November, 1857.

d 4 law6mF MARY R. DAVIES, Administratrix.

IN PURSUANCE of an order of the Surrogate of the County of New-York, notice is hereby given to all persons having claims against JOHN JOSEPH, late of the City of New-York, deceased, to present the same with vouchers thereof to the subscriber, at his office, at the corner of 11th-av. and 18th-st. in the City of New-York, on or before the twenty-eighth day of June next.—Dated New-York, the twenty-second day of December, 1857.

ABRAHAM CUMMINGS, Executor.

d 23 law6mF

SUPREME COURT—COUNTY OF KINGS.—PENNINGHAM H. NICHOLS against RICHARD F. RUYLENBERGH, George G. Johnson and Amelia A. his Wife, Anne F. Bingham and Mary M. his Wife, Emanuel Hofman, Henry Schubert, William Post, Receiver, &c., Cornelius Patterson, Peter B. Amery, David C. Colt, and Benjamin G. Gerard.—Summons for relief.—To the Defendants above named: You are hereby summoned and required to answer the amended complaint in this action, which is filed in the office of the Clerk of the County of Kings, and serve a copy of your answer on me at my office, No. 19 Nassau-street, in the City of Brooklyn, within twenty days after the service hereof, exclusive of the day of such service; and if you fail to answer the complaint as aforesaid, the plaintiff will apply to the Court for the relief demanded in the complaint.—Dated New-York, April 17, 1858.

E. H. NICHOLS, Attorney pro per.

The amended complaint in the above action was filed on the tenth day of April, A. D. 1858.

apr 21 law6wFr E. H. NICHOLS, Attorney pro per.

New-York Daily Tribune.

NEW PUBLICATIONS.

THE INVENTOR OF THE LOCOMOTIVE.

THE LIFE OF GEORGE STEPHENSON, RAILWAY ENGINEER. By SAMUEL SMILES. 12mo. pp. 486. Ticknor & Fields.

The personal career of George Stephenson is no less remarkable than the influence of his inventions on the industry of the world. His case would seem to present a striking confirmation of the belief that certain men are destined to the accomplishment of specific objects, for which the events of their external life, as well as their individual endowments, are both an impulse and a preparation. The whole system of railroad transportation, which forms such an essential element in modern civilization, is traced back to the improvements in the locomotive effected by Stephenson.

He was a native of the Newcastle mining district, where he was born in a laborer's cottage of the humblest description, June 9, 1781. His father was a fireman of a pumping-engine at a colliery, gaining a scanty subsistence by constant toil. As soon as employment could be found for the poor man's son, he was set to tending cows in the neighborhood at the wages of twopence a day. One of his earliest amusements in the leisure hours which were thus thrown on his hands, was to erect miniature mills in the little streamlets, and to construct clay engines with a favorite companion. As he grew older and more able to work, he was promoted to the task of leading the horses at plow, hoeing turnips, and other odd jobs about the farm. But he could not rest till he obtained a berth at the colliery where his father worked, and where he was employed in clearing the coal of rubbish, and afterward in driving the gin-horse. At length, he was taken as an assistant to his father in firing the engine, which posthad for some time been an object of his ardent ambition.

Removing from one colliery to another, as pit after pit was worked out, the straitened family had no small difficulty in procuring even a meager livelihood. They lived in a cottage with only one room, which the father, mother, four sons, and two daughters occupied together. It was crowded with three low bedsteads. This one apartment did duty as parlor, kitchen, sleeping-room, and what not. By the time that George had reached the age of fifteen, he thought only of attaining the position of a full workman, with man's wages, and was esteemed by his comrades as nothing more than a sober, steady, industrious lad. In the course of a year or two, he was appointed plugman or engineman on a pumping-engine of which his father was fireman, and at once thought himself made for this world. He now began to make a more thorough study of the engine, which had long been the object of his boyish curiosity. He soon acquired a thorough knowledge of its construction and mode of working; it became his favorite pet; and he was never weary of watching it with devoted admiration.

At the age of eighteen, he had not yet learned to read. He loved to employ his spare time, however, in listening by the engine fire to one of his fellow-workmen, who would read to his companions from any book or stray newspaper which had found its way to their murky village. He still continued his amusement of modeling clay engines. He not only tried to model those which he had seen, but those which he had heard described. He was told, however, that he could obtain information about the wonderful engines of Watt and Boulton only by consulting the publications of the day. But he did not even know his letters. He thus found that he could make no progress in his darling pursuit, without learning to read. He was not ashamed to confess his ignorance, and though well nigh a man grown, to go to school and learn the alphabet. He commenced with taking lessons three nights in the week, of a poor drudge of a pedagogue, who kept an evening school for the colliers' and laborers' sons in the neighborhood. He soon made such proficiency that he was ready for another teacher, and under an old Scotch dominie, he added the mysteries of arithmetic to his new accomplishments.

On arriving at the age of twenty, young Stephenson had become promoted to the post of brakesman. His duty consisted chiefly in letting men and materials up and down the mine. This left a good deal of spare time on his hands, a part of which he devoted to mending the shoes of his fellow-workmen, while he employed many vacant hours in working out sums on his slate, and practicing writing in his copy-book. About this time he formed an attachment to a young woman of the village, who was a servant in a neighboring farm-house, with an excellent character and principles, and no inconsiderable personal attractions. The courtship was not without a touch of romance. "Among his various mendings of old shoes at Callerton, George Stephenson was on one occasion favored with the shoes of his sweetheart, Fanny Henderson, to sole. One can imagine the pleasure with which he would linger over such a piece of work, and the pride with which he would execute it. A friend of his, still living, relates that, after he had finished the shoes, he carried them about with him in his pocket on the Sunday afternoon, and that from time to time he would whip them out and hold them up to sight—the tiny little shoes that they were—exhibiting them with exultation to his friend, and exclaiming, 'What a capital job he had made of them!' Other lovers have carried about with them a lock of the fair one's hair, a glove, or a handkerchief; but none could have been prouder of their cherished love-token than was George Stephenson of his Fanny's shoes, which he had just soled, and of which he had made such a 'capital job.'" The following year he was married to the charming Fanny, having managed to save as much money as enabled him to furnish a house in a very humble style for the reception of his young bride. The marriage was celebrated November 28, 1802. "George Stephenson's signature, as it stands in the books, is that of a person who seems to have just learnt to write. Yet it is the signature of a man, written slowly and deliberately, in strong round hand. With all his care, however, he had not been able to avoid a blotch; the word 'Stephenson' has been brushed over before the ink was dry. After the ceremony, George and his newly-wedded wife proceeded to the house of old Robert Stephenson and his wife Mabel at Jolly's Close. The old man was now becoming infirm, though he still worked as an engine fireman, and contrived with difficulty 'to keep his head above water.' When the visit had been paid, the bridal party prepared to set out for their new home at Willington Quay. They went in a homely old-fashioned style, though one quite usual in those days, before macadamized roads had been adopted, or traveling by railway so much as dreamt of. Two stout farm-horses were borrowed from Mr. Burn of the Red-House farm, Wylam, where Anne Henderson, the bride's sister, lived as servant. The two horses were each provided with a saddle and a pillion; and George having mounted one, his wife seated herself on the pillion behind him, holding on by her arms round his waist. Robert Gray and Anne Henderson in like manner mounted the other horse; and in this wise the wedding party rode across the country, passing through the old streets of Newcastle, and then by Wallsend to their home at Willington Quay—a long ride of about fifteen miles."

Stephenson's life at Willington was that of a regular, steady workman. While other men of his class were idling in ale-houses, he was busy in studying the principles of mechanics and the laws by which his engine worked. Like most young and self-taught students, he was not a little addicted to speculation and theory. While sitting by the side of his young wife in their cottage-dwelling, in the Winter evenings, he was intent on making mechanical experiments, and in modeling experimental machines. Among his various fancies, was the discovery of perpetual motion. Nor did he disdain more profitable employment. From mending shoes he proceeded to making them, and also drove a good business in the manufacture of lasts.

In 1804, he removed to the village of Killingworth, one of the best known collieries in the vicinity of Newcastle, where he still held his old position of brakesman. "He had scarcely settled down in his new home, ere he sustained a heavy loss in the death of his wife, for whom he cherished the sincerest affection. Their married life had been happy, sweetened as it was by daily successful toil. The husband was sober and hard-working, and his young wife made his hearth so bright and his home so snug, that no attraction could draw him from her side in the evening hours. But this domestic happiness was all to pass away; and the twinkling feet, for which the lover had made those tiny shoes at Callerton, were now to be hidden for evermore from his eyes. It was a terrible blow, but he bore it as he best could. There was work before him to do—work, which Stephenson, like many more, found to be a balm for even the heaviest sorrow."

Soon after this event, he accepted an offer to superintend one of Watt and Boulton's engines in a large establishment near Montrose, in Scotland. He set out on the long journey on foot, with his kit on his back. Passing over his early struggles for a few years, we find him in 1810 again at Killingworth, where an opportunity at length presented itself to turn to practical account the knowledge he had been so long patiently acquiring.

An atmospheric or Newcomen engine, originally made by Smeaton, was fixed there for the purpose of pumping out the water from the shaft; but somehow or other the engine failed to clear the pit. As one of the workmen has since described the circumstance—"She couldn't keep her jack-head in water; all the enginemen in the neighborhood were tried, as well as Crowther of the Ouseburn, but they were clean bet."

Good working engineers were then rarely to be met with; and many even of those who were most in repute, worked very much in the dark, without any knowledge of the principles of mechanics. The tools used in the construction of engines were of the rudest description, the fabrication of the parts being, for the most part, done by hand. A few ill-constructed lathes, with drills and boring-machines of rude construction, constituted the principal tools. The mechanics were also very clumsy, and for the most part ill-trained. Indeed, there were only three or four establishments at that time in the kingdom that could turn out a respectable steam-engine. It is not therefore surprising that this engine should have proved a failure, and that neither the master engineer nor any of the workmen in the neighborhood could set her to rights.

The engine went on fruitlessly pumping for nearly twelve months, and began to be looked on as a total failure. Stephenson had gone to look at it when in course of erection, and then observed to the over man that he thought it was defective; he also gave it as his opinion that, if there were much water in the mine, the engine would never keep it under. Of course, as he was only a brakesman, his opinion was considered to be worth very little on such a point, and no more was thought about it. He continued, however, to make frequent visits to the engine, to see "how she was getting on." From the bank-head where he worked his brake he could see the chimney smoking at the High Pit; and as the workmen were passing to and from their work, he would call out and inquire "if they had gotten to the bottom yet?" And the reply was always to the same effect—the pumping made no progress, and the workmen were still "drowned out."

One Saturday afternoon he went over to the High Pit to examine the engine more carefully than he had yet done. He had been turning the subject over in his mind; and after a long examination he seemed to satisfy himself as to the cause of the failure. Kit Heppel, who was a sinker at the mine, said to him: "Weel, George, what do you mak' o' her? Do you think you could do anything to improve her?" "Man," said George in reply, "I could alter her and make her draw: in a week's time from this I could send you to the bottom."

Forthwith Heppel reported this conversation to Ralph Dodds, the head viewer; and Dodds being now quite in despair, and hopeless of succeeding with the engine, determined to give George's skill a trial. George had already acquired the character of a very clever and ingenious workman; and at the worst he could only fail, as the rest had done. In the evening Mr. Dodds went toward Stephenson's cottage in search of him. He met him on the road, dressed in his Sunday's suit, about to proceed to "the preachings" in the Methodist chapel, which he at that time attended. "Well, George," said Mr. Dodds, accosting him, "they tell me you think you can put the engine at the High Pit to rights." "Yes, sir," said George, "I think I could." "If that's the case, I'll give you a fair trial, and you must set to work immediately. We are clean drowned out, and cannot get a step further. The engineers hereabout are all bet; and if you really succeed in accomplishing what they cannot do, you may depend upon it I will make you a man for life."

It is said that George, the same evening, borrowed the "howdie horse" and rode over to Duke's Hall, near Walbottle, where his old friend Hawthorn, the engineer to the Duke of Northumberland, then resided, and consulted him as to the improvements which he proposed to make in the pumping-engine. And next morning, Sunday though it was (for the work must be commenced forthwith), Stephenson entered upon his labors. The only condition that he made, before setting to work, was that he should select his own workmen. There was, as he knew, a good deal of jealousy among the "regular" men that a colliery brakesman should pretend to know more about their engine than they themselves did, and a tempt to remedy defects which the most skilled men of their craft, including the engineer of the colliery, had failed to do. But George made the condition a sine qua non. "The workmen," said he, "must either be all Whigs or all Tories." There was no help for it, so Dodds ordered the old hands to stand aside. Five men grumbled, but gave way; and then George and his party went to

* One of the pit horses formerly employed in case of emergency in bringing the coals to the rescue.

The engine was taken entirely to pieces. The injection cap, being considered too small, was enlarged to nearly double its former size, the opening being increased to about twice the area. The cylinder, having been found too long, was packed at the bottom with pieces of timber; these and other alterations were necessarily performed in a rough way, but, as the result proved, on true principles. The repairs occupied about four days, and by the following Wednesday the engine was carefully put together again and set to work. It was kept pumping all Thursday, and by the Friday afternoon the pit was cleared of water, and the workmen were "sent to the bottom," as Stephenson had promised. The alterations thus effected in the engine and in the pumping apparatus proved completely successful, and Stephenson's skill as a pump-curer became the marvel of the neighborhood.

But we must hasten to the epoch of his inventions, by which the art of transportation has been made to change the face of the world.

A rude kind of railway was introduced at the collieries, on the Tyne, so early as 1630. It consisted of a line of wooden or iron rails laid down for the easier guidance of wagons in which coal was hauled from the pit to the shipping place. This germ of the modern railroad, planted by some unknown hand, grew to maturity at a slow pace. In 1676, old Roger North describes the "way-leaves" which he saw near Newcastle. A century later (1770-72) they were found in common use by Arthur Young. Twenty-five years before that (1745) they existed in the colliery districts of Scotland. The first iron rails are supposed to have been laid down at Whitehaven in 1738. In 1776, a cast-iron railway, nailed to wooden sleepers, was laid down at a colliery near Sheffield. In 1789, the cast-iron edge rail, with flanges on the wagon-wheels, was introduced in Leicestershire. In 1800, stone props instead of timber for supporting the junctions of the rails were invented in Derbyshire by Mr. Outram, from whom such roads received the name of "Outram" roads, or as they are now called for the sake of brevity, "tram"-roads. From this time the use of tram-roads rapidly extended, and they were at length generally adopted in the mining districts. The progress of railroads was indeed so great, that they began to alarm the canal interests. The Duke of Bridgewater, when congratulated by Lord Kenyon on the successful issue of his canal system, replied, not without a prophetic shudder, "Yes, we shall do well enough if we can keep clear of these d—d tram-roads—there's mischief in them."

Thus far, the improvements had been confined almost entirely to the road. The wagons were drawn only by horses. The next step was to substitute some sort of mechanical power for horse power. Inventions and projectors were "plenty as blackberries." One suggested the use of sails, which was a favorite hobby with the father of Maria Edgeworth, who had a firm faith that, wind and weather being favorable, good land voyages might thus be accomplished. But the most plausible scheme was the application of steam on the high pressure principle. Solomon de Caus, a lively Frenchman, seems to have been the first to conceive the idea. This was in 1615, when he published a work on the subject. He was shut up in a mad-house for his pains. The Marquis of Worcester paid him a visit in Bicitre, was much struck with his appearance, and afterward embodied a portion of his book in his "Century of Inventions." Savary, the Cornish miner and engineer, proposed the use of the high-pressure engine for purposes of locomotion, but took no measures to carry out the suggestion. In 1759, the subject was introduced to James Watt by Dr. Robinson, then a student at Glasgow College. But the scheme was not matured, and ultimately fell through. Other inventors were in the field at the same time. In 1769, one Moore, a linen draper of London, took out a patent for moving wheel-carriages by steam. The same year, in the patent taken by Watt, a specification was made of a similar invention. But no carriage was built by either of them. The first actual model of a steam-carriage, of which we have a written account, was constructed by a Frenchman named Cugnot, who exhibited it before Marshal Saxe in 1763. In 1772, Oliver Evans, in this country, invented a steam-carriage to travel on common roads, and in 1787 obtained from the State of Maryland an exclusive right for its use. His invention, however, was never carried into effect. William Symington, a claimant for the invention of the steamboat, constructed the model of a steam-carriage, in 1786, in Scotland, but he soon abandoned the scheme for that of steam navigation. The first English model of a steam-carriage was made in 1784 by a friend and assistant of Watt, named William Murdoch. "It was on the high-pressure principle, and ran on three wheels. The boiler was heated by a spirit-lamp; and the whole machine was of very diminutive dimensions, standing little more than a foot high. Yet, on one occasion, the little engine went so fast that it outran the speed of its inventor. One night, after returning from his duties in the mine at Redruth, in Cornwall, Murdoch determined to try the working of his model locomotive. For this purpose, he had recourse to the walk leading to the church, about a mile from the town. The walk was rather narrow, and was bounded on either side by high hedges. It was a dark night, and Murdoch set out alone to try his experiment. Having lit his lamp, the water shortly began to boil, and off started the engine with the inventor after it. He soon heard distant shouts of despair. It was too dark to perceive objects; but he shortly found, on following up the machine, that the cries for assistance proceeded from the worthy pastor of the parish, who, going toward the town on business, was met on this lonely road by the hissing and fiery little monster, which he subsequently declared he had taken to be the Evil One *in propriâ personâ*. No further steps, however, were taken by Murdoch to embody his idea of a locomotive carriage in a more practical form."

In 1789, another plan was proposed by Thomas Allen of London, but it was not until 1802 that a steam-carriage was built adapted for use on common roads. This was done by a Cornish miner named Richard Trevethick. The experiment was tolerably successful. On his way to London, while the vehicle was going at the top of its speed, and had just carried away the rails of a gentleman's garden, his companion descried a closed toll-gate ahead, and called to Trevethick, who was behind, to slacken speed. "He immediately shut off the steam; but the momentum was so great that the carriage proceeded some distance, coming dead up, however, just on the right side of the gate, which was opened like lightning by the toll-keeper. 'What have us got to pay?' asked Vivian. The poor toll-man, trembling in every limb, his teeth chattering in his head, essayed a reply—'Na-na-na-na-'—'What have us got to pay, I say?' 'No-noth-nothing to pay! My de-dear Mr. Devil, do drive on as fast as you can! nothing to pay!'"

His next step was to construct a locomotive for railroads. This was completed in 1804. But after a few experiments, it was given up. No further progress was made for several years. In 1811, a new patent was taken out by Mr. Blenkinsop of Leeds, and the next year his engines commenced running on the railway of one of the neighboring collieries. This was followed by improvements by the Chapmans, Brunton, Blackett, and others, which met with more or less success, until 1813, when Stephenson was provided with funds by Lord Ravensworth, and set about the construction of a locomotive according to his own idea. After much labor and anxiety, and frequent alteration of parts, this was at length completed, and placed on the Killingworth Railway for a trial trip, July 25, 1814. It succeeded in drawing a load of 30 tons at about four miles an hour, and was the most efficient working engine yet constructed. Successive improvements were made within a year, and before the close of 1815, the perfect germ of the present locomotive engine was fully established. But the most important steps yet remained to be taken.

Stephenson alone remained in the field after all the other improvers and inventors of the locomotive had abandoned it in despair. He continued to entertain confident expectations of its eventual success. He even went so far as to say that it would yet supersede every other tractive power. Many looked upon him as an enthusiast, which no doubt he was, but upon sufficient grounds. As for his traveling engine, it was by most persons regarded as a curious toy; and many, shaking their heads, predicted for it "a terrible blow-up some day." Nevertheless, it was daily performing its work with regularity, dragging the coal-wagons between the colliery and the staiths, and saving the labor of many men and horses. There was not, however, so marked a saving in the expense of working when compared with the cost of horse traction, as to induce the northern colliery masters to adopt it as a substitute for horses. How it could be improved and rendered more efficient as well as economical, was never out of Mr. Stephenson's mind. He was quite conscious of the imperfections both of the road and of the engine; and he gave himself no rest until he had brought the efficiency of both up to a higher point. He worked his way step by step, slowly but surely: every step was in advance of the one preceding, and thus inch by inch was gained and made good as a basis for further improvements.

At an early period of his labors, or about the time when he had completed his second locomotive, he began to direct his particular attention to the state of the road, as he perceived that the extended use of the locomotive must necessarily depend in a great measure upon the perfection, solidity, continuity and smoothness of the way along which the engine traveled. Even at that early period, he was in the habit of regarding the road and the locomotive as one machine, speaking of the rail and the wheel as "man and wife."

It is curious to note the slow process by which the importance of his invention was brought to the recognition of the public. His engines were in use for many years without exciting any general interest. It is not difficult to account for this apathy. He was an unlettered man, unable to give utterance to the thoughts which haunted his mind, and the scientific world of London could gain no glimpse of good from so remote and humble a Nazareth as a Newcastle colliery. Even the local chroniclers took no notice of the invention. But a new day was about to dawn. After a violent struggle, in which Mr. Stephenson took a prominent part, a bill was at length carried through Parliament authorizing the construction of the Liverpool and Manchester Railroad. Mr. Stephenson was appointed principal engineer, with a salary of $5,000 per annum, and at once proceeded with his characteristic energy to the accomplishment of his task. The work was commenced in June, 1826. By the end of 1828, the Directors found that they had expended over $2,000,000 on the works, and that they were still far from completion. "They looked at the loss of interest on this large investment, and began to grumble at the delay. They desired to see their capital becoming productive; and in the Spring of 1829, they urged the engineer to push on the works with increased vigor. Mr. Cropper, one of the Directors, who took an active interest in their progress, said to him one day, 'Now, George, thou must get on with the railway, and have it finished without further delay; thou must really have it ready for opening by the 1st day of January next.' 'Consider the heavy character of the works, Sir, and how much we have been delayed by the want of money, not to speak of the wetness of the weather; it is impossible.' 'Impossible!' rejoined Cropper; 'I wish I could get Napoleon to thee—he would tell thee there is no such word as "impossible" in the vocabulary.' 'Tush!' exclaimed Stephenson, with warmth; 'don't speak to me about Napoleon! Give me men, money and materials, and I will do what Napoleon couldn't do—drive a railroad from Liverpool to Manchester over Chat Moss.' And truly, the formation of a high road over that bottomless bog was, apparently, a far more difficult task than the hewing even of Napoleon's far-famed road across the Simplon."

The road was at last so far completed, that the directors were called on to decide as to the kind of tractive power to be used on it. The question was between fixed engines and locomotives. The former had many advocates; for the latter, Mr. Stephenson stood almost alone. The most celebrated engineers did not believe in the locomotive, and would not even take the trouble to examine it. The leading members of that profession studiously avoided Mr. Stephenson. Had the locomotive system depended on them, it would have been swamped from the start. As the discussion proceeded, in regard to the power to be adopted, the directors were deluged with all sorts of schemes. The projectors of England, France and America seemed to be let loose upon them. Some recommended working the wagons along the line by water power. Some proposed hydrogen, others carbonic acid, others atmospheric pressure. One urged a plan for a greased road with cog rails; various kinds of steam power were suggested; and the directors were wholly unable to choose between the conflicting schemes. At length the subject was referred to a select committee of engineers, who reported in favor of fixed engines in preference to locomotive power. "Here was the result of all George Stephenson's labors! The two best practical engineers of the day concurred in reporting against the employment of his locomotive! Not a single professional man of eminence could be found to coincide with him in his preference for locomotive over fixed engine power. He had scarcely a supporter; and the locomotive system seemed on the eve of being abandoned. Still he did not despair. With the profession against him, and public opinion against him—for the most frightful stories were abroad respecting the dangers, the unsightliness, and the nuisance which the locomotive would create—Mr. Stephenson held to his purpose. Even in this, apparently the darkest hour of the locomotive, he did not hesitate to declare that locomotive railroads would, before many years had passed, be 'the great highways of the world.'"

Uncertain as to what course to adopt, the directors finally decided to offer a prize of £500 for the best locomotive engine which should be produced on a certain day, and perform certain specified conditions. It was generally felt that the fate of railways in a great measure depended on the issue of this appeal to the mechanical genius of England. Scientific men began to direct their attention to the new power which was then struggling into existence. In the mean time, public opinion was suspended, and the progress of the undertaking was watched with the most intense interest. On the appointed day, Oct. 1, 1829, Mr. Stephenson was on hand with a new locomotive; the trial was made between it and the other competitors; and the engine of Stephenson was so successful as to extinguish all rivalry. From that moment, the triumph of his invention was secure. The great work of his life was now accomplished, although he continued in active service as an engineer for about ten years more, when, in 1840, he retired from the more immediate pursuit of his profession, although not into a state of idleness.

Toward the close of his life, he gradually relinquished all responsible engagements in connection with railroads, and devoted himself in a great degree to the cultivation of his estate and the enjoyment of rural occupations.

In the Summer of 1848, he was attacked with an effusion of blood from the lungs, of which he died, August 12, in the 67th year of his age. He will long be held in honored remembrance, not only for his industrial and scientific services, but for his personal character. He was emphatically a self-made man, but exhibited the rarest virtues of that condition, with scarcely a visible trace of its usual infelicities. It was his privilege to become a benefactor of the human race, by his wonderful mechanical gifts, with no taint of the jealousy of self-seeking, that so often vitiates the character of inventors. His singular equanimity never forsook him. Confident in his own resources, he was never daunted by any want of faith or sympathy in the public; while no flush of success was ever able to impair the native modesty and simplicity of his genius.

HISTORY OF THE REPUBLIC OF THE UNITED STATES OF AMERICA, AS TRACED IN THE WRITINGS OF ALEXANDER HAMILTON AND OF HIS COTEMPORARIES. By JOHN C. HAMILTON. Vol. II. 8vo. pp. 579. Appleton & Co.

This is the second volume of a work upon which on the appearance of the first volume we bestowed an extended notice. This second volume resembles the first in being as that was a reproduction of Mr. Hamilton's formerly published Life of his father, but with the introduction of considerable new matter. This new matter consists largely of official letters of Washington, the manuscripts of which, now deposited in the State Department, are in Hamilton's handwriting, and the authorship of which, on this and other grounds, is claimed as his, he acting at the dates of these letters as the aid-de-camp and secretary of Washington. This claim, which was advanced in the first volume, has been regarded by many as an unwarrantable attempt to elevate Hamilton at the expense of Washington, and in that point of view has subjected the author of it to some pretty sharp criticism. In his preface to the present volume, he indignantly denies any disposition to belittle Washington, as to whom indeed throughout the work he assumes the position of champion and defender, making confidence in and adhesion to him the almost exclusive test of patriotism and honesty. Nor does this claim, as defined and limited in the preface to the present volume, seem to afford any sufficient occasion for the degree of sensibility which it has aroused. All that is meant in speaking of these letters as "written by Hamilton in Washington's name," or in "Washington's behalf," or as "from the pen of Hamilton"—the phraseology employed with respect to them in the text—is now explained to be that these letters belong to Hamilton "as their real author *in point of composition*." The letters, then, as to their sense, were Washington's; they were Hamilton's only as to their diction and arrangement. In a purely literary and subjective point of view, considered merely as compositions or drafts, they may properly enough be called Hamilton's. In their character as letters, in an historical and objective point of view, they were Washington's, whether framed originally upon his suggestions, in the case of the more important ones, or, as to perhaps the greater number, merely approved by him after their completion. To cite these letters in a book of elegant extracts or specimens of literature as Hamilton's, would, in this point of view, be allowable enough. That method of citing them does not seem, however, quite so suitable to a historical work like the present, and has naturally enough been understood by many—though it would seem entirely contrary to the compiler's intention—as an attempt to transfer from Washington to Hamilton a portion of Washington's hard-earned glory as commander-in-chief of the American revolutionary armies. We have even heard the idea expressed that the case was really made out, and that the tendency of this work is seriously to detract from Washington's reputation. This seems very childish. However highly any one may be disposed to rate the talents and influence of Hamilton, this at least is very certain—neither his entry into Washington's military family, nor his withdrawal from it, was attended by any charge at headquarters perceptible to the public at large. Washington's assumption of command makes an era in our history; his withdrawal from it at any time during the course of the war would have made another era. Hamilton's acceptance of the position of Military Secretary, and his retirement from it, may, perhaps, be traced by the literary critic in "the filling in, the drapery, the coloring, the light and shade, the accessory parts," of the letters written from headquarters; but in other respects, things went on much as before. Washington was Washington before he ever saw Hamilton; he remained Washington when Hamilton had ceased to write letters for him.

THE LAW OF VENDERS AND PURCHASERS OF REAL PROPERTY. By FRANCIS HILLIARD. 2 vols. in one. 8vo. pp. 455, 379. Boston: Little, Brown & Co.

Mr. Hilliard is well known to the profession as the author of two treatises—one on the *American Law of Real Property*, the other on *Mortgages*, to which the present treatise is a natural complement. There is no branch of the English law which has undergone greater modification in this country than that in relation to real property. Not only have many titles, such as tithes, advowson, copyhold, &c., treated at length in *Cruise on Real Property*, and other English works of authority, no basis in our law, but the rules and principles as to many other titles which still remain common to us and the English, have been with us greatly modified by statute regulations, involving a correspondent modification in judicial decisions. Even in England itself the great changes and simplifications recently introduced, have tended to render obsolete considerable parts of the old law and of the treatises written to expound and illustrate it; while the constant accumulation of legal decisions so rapidly going on there, as well as here, furnishes constantly new material for the construction of treatises partaking, as all law treatises so largely do, of the character of digests and abridgments. Such is especially the character of this work, the author not so much aiming to deduce from the decisions of the Courts a system of what may be called theoretical law as to exhibit the points actually decided and the law as held by the Courts of different States—the conflict between which is on some questions so decided as to afford little encouragement to any attempt at reconciliation or to lay down any single proposition as equally the law in all the States. This subject of conflicting doctrines is specially treated in an appendix, in which the latest leading cases—often embracing a full review of the earlier decisions on the same subject—are given more fully than was admissible in the body of the work. In the general treatment of his subject, Mr. Hilliard appears to have adopted a natural and lucid order of arrangement, and by means of the table of contents and index, its learning is rendered very accessible. We have no doubt that to the practicing lawyer it will be found highly convenient and useful.

ENGLISH REPORTS IN LAW AND EQUITY. Edited by CHAUNCEY SMITH. Vol. XL. 8vo. pp. 544. Boston: Little, Brown & Co.

The law's delay used in former times to extend to the reporting as well as the decision of cases, or at least to the appearance of reports in print, which not uncommonly was delayed till after the death both of the reporter who noted the cases, and of the Judge who had made the decisions. How completely this part at least of the law's delay has been got rid of, is apparent from the fact that the present volume of English Law and Equity Reports comprises cases in the House of Lords, the Privy Council, and the Courts of Queen's Bench, Common Pleas and Exchequer, and also reserved Crown cases, all decided during the year 1857. In fact, by means of this convenient and useful compilation, the profession in America gets reports of the English decisions decidedly in advance of those of our own Courts, and what, in the growing multiplicity of law books, is a matter of some consequence, at a much more moderate rate. There is also the additional advantage of getting the law in a more compressed form. The present volume includes not less than a hundred and thirty cases.

A DICTIONARY OF TRADE PRODUCTS, COMMERCIAL, MANUFACTURING AND TECHNICAL TERMS. By P. L. SIMMONDS. 12mo. pp. 422. G. Routledge & Co.

The want of a manual of this kind is illustrated by a fact stated in the preface, that at the time of the Great Exhibition in 1851 it was found impossible even to make out a list of trades, and the attempt was given up in despair. No work of reference was to be found giving a popular explanation of the various terms of trade and trade products, and the new materials and new manufactures which had recently come into use. The present volume grew up in the experience of the author as a city journalist, in which capacity he was led to draw up a list of commercial definitions for his own use, and gradually to extend it to a compass of much larger scope, including not only the various articles known in trade and manufactures, but many titles in natural history, and a wide range of miscellaneous topics. The whole is brought within the dimensions of a pocket volume, which may be recommended, not only for its convenient size, but for its facility of reference to a great mass of valuable information.

ITALIAN LEGENDS AND SKETCHES. By J. W. CUMMINGS, D. D. 12mo. pp. 275. Edward Dunigan & Brother.

The most striking characteristic of this pleasant volume is the graceful ease with which it treats a variety of themes of the most opposite character. We are told in the preface that the writer has written as he has felt, and attempted to treat his readers to a little information, a little description, a little piety, a little poetry, and even a little amusement. The contents of the volume are derived from personal reminiscences of study and travel in different parts of Italy. The author, however, has not permitted himself to be beguiled into the illusion that what has greatly interested himself will necessarily interest his readers, but has made a discreet selection from his portfolio of such scenes as challenge general sympathy. Although he presents his pictures in the light of the Catholic Church, of whose clergy he is a member, his fine literary accomplishments and his command of an admirable narrative style cannot fail to recommend his volume beyond the pale of his own communion.

THE NEW-YORK COACH-MAKERS' MONTHLY MAGAZINE. No. I. E. M. STRATTON and M. G. TOUSLEY, Editors. ISAAC W. BRITTON, Draftsman. E. M. Stratton.

Here is the commencement of a novelty among the thousand and one periodicals which swarm in so many departments of business and amusement. It is devoted to the interests of the craft whose name it bears, and proposes to give designs and drafts of improvements in the art, with a copious miscellany of reading matter, notices of new inventions, and other matters of interest to the trade. The first number, which we have examined, looks promising.

FOLLOWING THE DRUM: A GLIMPSE OF FRONTIER LIFE. By Mrs. VIELE. 12mo., pp. 256. Rudd & Carleton.

In this sketchy, fluent narrative, the wife of a soldier relates her experience of military life, including a series of pictures of Texan society and manners, painted with a large proportion of rose-color. Her descriptions are natural and effective, but her comments are often superfluous, seldom original, and never profound. The volume is very readable, in its present form, but the omission of a certain vein of sentimentalizing would have been an improvement.

TO THE MOONBEAM.

AN UNPUBLISHED POEM BY SHELLEY.

Moonbeam, leave the shadowy vale,
To bathe this burning brow.
Moonbeam, why art thou so pale,
As thou walkest o'er the dewy dale,
Where humble wild flowers grow?
Is it to mimic me?
But that can never be;
For thine orb is bright,
And the clouds are light,
That at intervals shadow the star-studded night.

Now all is deathly still on earth,
Nature's tired frame reposes;
And ere the golden morning's birth
Its radiant hues discloses,
Flies forth its balmy breath.
But mine is the midnight of Death,
And Nature's morn,
To my bosom forlorn,
Brings but a gloomier night, implants a deadlier thorn.

Wretch! Suppress the glare of madness
Struggling in thine haggard eye,
For the keenest throb of sadness,
Pale Despair's most sickening sigh,
Is but to mimic me;
And this must ever be,
When the twilight of care,
And the night of despair,
Seem in my breast but joys to the pangs that wake there.

WEEDS.—We waked the other morning—one of those May mornings—notwithstanding our domicile is a city one, with delightful sounds coming in at the window. They were the notes of sweet singing birds. What lovely music. It was the first of the season that had come to our ears, and it struck a chord that called to mind scenes of youth, long, long ago! We hastened to the window and looked out. Ha, ha, my old friends, we cried, and so you have come back again. It was the wrens, the same ones undoubtedly that we built a nesting-place for last year. There was one pair then, now two pair—the progeny, we suppose, of those that sung for us last year. And so, we said, you have both come for a nesting-place, have you? Well, there is the old one, but you must have another. An increasing family needs more room. You shall have it. Notwithstanding the morning was a rainy one, we feared our pets might feel neglected, and so down we went to provide for their necessities. How amply were we repaid the little labor; for all the time we were engaged they were hopping about the peach limbs, picking off the insects and singing all the while most merrily. Who would not cultivate such society as this? Who would not like to have their trees protected from insects that destroy foliage and fruit? Every one, surely. Then protect the wrens. Build nesting-places for them, and they will come every Spring and send their sweet notes into your open window some pleasant May morning, to waken you to see the beauty of sunrise, or lull you into dreams of the old farm-house, orchards, and singing birds.

SINKING OF A WESTERN STEAMER AND LOSS OF TEN LIVES.—We regret to chronicle the loss of the excellent steamer City of Huntsville. She sunk at Palmyra, about ten miles below Clarksville, on Wednesday night, at 11 o'clock. We are not able to give full particulars, but from passengers who arrived on the Choctaw, we learn that the cause of the accident is attributed to a log which had drifted near the shore. She struck the log with great force, after which her stern came against the bank, and caused her to sink immediately. She is now lying across the chute, with the water four feet in her cabin. By this sad occurrence, ten lives are known to be lost, and it is thought that probably more than this number have perished. Those known to be lost are Emmett Wallace, Assistant Engineer, of Smithland, Kentucky, eight deck hands, Irishmen, names not known, and Henry Jackson, free boy of color, second porter on the boat. Two fine horses perished—one of them belonging to Dick Hays, formerly of this city, who also lost a fine buggy which he purchased here several days since. The boat was owned in this city by Capt. A. L. Davis, and was valued at $10,000. She was not insured. With the exception of a small portion of the furniture, which was saved, the boat will be a total loss. She had but a very small cargo, all of which was lost.

[Nashville Gazette, May 14.

GOLD DISCOVERED IN MISSOURI.—*The St. Joseph Gazette* of the 11th says: "We have just learned from Mr. H. W. Stephens, who came in directly from Gentry County, that Peter Stephens, esq., Deputy Surveyor of Gentry County, made a discovery of gold on Cowan's branch, one of the tributaries of the west fork of Grand River. Several old Californians are now at work on the branch, making from *one to six dollars per day*. The gold is very fine and light, and it is believed by those who are digging for it, that heavy deposits exist somewhere in the neighborhood."